

#39

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/287,631

Filing Date: April 7, 1999

First Named Inventor: John M. Eby et al.

Group Art Unit: 1732

Examiner: A. Kuhns

Attorney Docket Number: 3063.0396-02

RECEIVED  
JUN 20 2001  
OFFICE OF PETITIONS

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114:

- a. ☐ Previously submitted:
  - i. ☐ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed:
  - i. ☐ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☒ Information Disclosure Statement
  - iv. ☒ Other Request to Withdraw Application from Issue

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

## 3. Fees:

- a. ☒ The filing fee is calculated as follows:
  - i. ☒ \$710.00 RCE fee required under 37 C.F.R. § 1.17(e)
  - ii. ☐ Extension of Time Fee (\_\_\_\_ Months) \$ \_\_\_\_\_
  - iii. ☒ Other \$130.00 Petition fee required under 37 C.F.R. § 1.17(i)
- b. ☒ Check in the amount of \$840.00 enclosed.
- c. ☒ The Director is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

## Signature of Applicant, Attorney, or Agent Required

Name: Louis M. Troilo

Reg. No.: 45,284

Signature: 

Date: June 20, 2001

## Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name:

Signature:

Date:

DP  
710.00  
9287631  
0030309  
55  
1621  
2001-06-20